THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 24378 OF 2005

Between:

M.Venkatesh
S/o Ramakrishna,
Old Bowenpaly (V), Balanagar (M), R.r.District

… Petitioner

And :

The Station House Officer,
Bowenpally P.S., and another

… Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 24378 OF 2005

ORAL ORDER :

The writ petitioner alleges that the respondents are unlawfully interfering with the petitioner's ownership and enjoyment of his property – house plots bearing Nos. 29, 30 and 31 in extent 913.53 Sq.Yds, in Old Bowenpally (v), Balanagar (M), R.R. District.

The 1st respondent filed counter affidavit wherein it is stated that the Additional Revenue Inspector, M.R.O. Office, Balanagar Mandal, lodged a complaint dated 10.11.2005 with the answering respondent stating that as per the orders of the Deputy Collector and M.R.O. the complainant had gone to Sy. No.55 of Old Bowenpally to stop the work and that Muthyala Goud, Rama Krishna Goud and Srinivas Reddy claiming to be land owners had started construction in Sy.No. 55; that the said Survey Number is an evacuee property; is involved in court litigation; and requesting the answering respondent to stop the

construction work by sending necessary force. The counter affidavit states that the complaint was entered in the General Diary, the concerned persons were called and requested to stop the construction work unless permission is obtained from the concerned authorities and then realizing that the dispute is civil in nature, he had advised both the parties to seek redressal in a court of law. The counter affidavit states that no action was initiated nor was there any interference with the petitioner's property.

In view of these assertions in the counter affidavit, which are not denied, there are no merits in the writ petition. The writ petition is accordingly dismissed. No order as to costs.

Dt: 14.09.2006 ----------

Pvsn Justice G. Raghuram